IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

THURSDAY, THE 15TH FEBRUARY 2007 / 26TH MAGHA 1928

WP(C).No. 3455 of 2007(J)

PETITIONER:

THYCAUD SMASHANAM SRI VASOORI MADAN
KOVIL TRUST, SREECHITHRA NAGAR, THYCAUD,
THIRUVANANTHAPURAM-14, REP. BY ITS SECRETARY,
K.V.JAYACHANDRAN, S/O. G.KARUNAKARAN NAIR,AGED 38,
R/AT TC.24/875, FLAT NO.315, SREECHITHRA NAGAR,
THYCAUD, THIRUVANANTHAPURAM.

BY ADV. SRI.AYYAPPAN SANKAR

RESPONDENTS:
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1. STATE OF KERALA, REPRESENTED BY
SECRETARY, HOME DEPARTMENT, GOVT. SECRETARIAT,
THIRUVANANTHAPURAM.

2. CITY POLICE COMMISSIONER,
COMMISSIONER'S OFFICE, THYCAUD,
THIRUVANANTHAPURAM.

3. CIRCLE INSPECTOR OF POLICE,
THAMPANOOR POLICE STATION, THAMPANOOR,
THIRUVANANTHAPURAM.

4. SUB INSPECTOR OF POLICE,
THAMPANOOR POLICE STATION, THAMPANOOR,
THIRUVANANTHAPURAM.

5. REVENUE DIVISIONAL OFFICER,
REVENUE DIVISIONAL OFFICE, THIRUVANANTHAPURAM.

6. ADDITIONAL TAHSILDAR,
TALUK OFFICE, THIRUVANANTHAPURAM.

7. N.V.RAJESH,
PRESIDENT, SRI. CHITHRANAGAR RESIDENTS
ASSOCIATION, THYCAUD, THIRUVANANTHAPURAM.

R1 TO R6 BY G.P. SHRI P.A. SALIM

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 15/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

EXT.P1-TRUE COPY OF THE TRUST DEED DATED 16.12.2004

EXT.P2(A) TO P2(E)-TRUE COPY OF THE BROCHURES PRINTED CONNECTION WITH ANNUAL FESTIVAL OF THE TEMPLE FOR THE YEARS 1993, 2001, 2002, 2004 & 2006

EXT.P3-TRUE COPY OF ISSUE OF MONTHLY JOURNAL VIZ. DEVAVANI FEBRUARY 2006

EXT.P4-TRUE COPY OF CONSENT LETTER ISSUED BY THE KSHB DATED 11.8.2003

EXT.P5-TRUE COPY OF NOTICE DATED 20.10.2005 ISSUED BY R5

EXT.P6-TRUE COPY OF PETITION FILED before THE HUMAN RIGHTS COMMISSION ON 14.11.2005

EXT.P7-TRUE COPY OF PROVISIONAL ORDER DATED 31.12.2006 ISSUED BY R5

EXT.P8-TRUE COPY OF ORDER OF R5 DATED 27.2.2006 IN MC 71/2006

EXT.P9-TRUE COPY OF THE ASTROLOGER'S DECISION DATED 28.1.2007

EXT.P10-TRUE COPY OF REPRESENTATION GIVEN TO THE RECEIVER, R6 DATED 28.1.2007

EXT.P11-TRUE COPY OF THE NOTICE DATED 18.1.2007 ISSUED BY R6

EXT.P12(A) TO P12(E)-TRUE COPY OF REPRESENTATION ISSUED BY R6 DATED 27.1.2007

// TRUE COPY //

J.B. Koshy & T.R. Ramachandran Nair, JJ.

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W.P.(C).NO.3455 of 2007-J

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Dated this the 15th day of February, 2007

JUDGMENT

Koshy, J.

This is a petition for police protection to conduct a festival. Already there is a receiver appointed in the property. Govt. Pleader submitted that there is likelihood of law and order situation and the matter is pending before the Revenue Divisional Officer. Counsel for the petitioner submitted that last year the festival was conducted and they want to conduct the festival as was done in the last year. If there is law and order situation, police to see that such a situation is avoided. We direct the Revenue Divisional Officer to dispose of the matter according to law in such a way that no law and order situation is created.

The writ petition is disposed of in the above terms. Issue photo copy to the Govt. Pleader for strict compliance.

(J.B. Koshy, Judge.)

(T.R. Ramachandran Nair, Judge.)

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